

09/24/99

JES34 U.S. PTO

DIVISION - CONTINUATION - CONTINUATION-IN-PART APPLICATION TRANSMITTAL FORM

Attorney Docket No.:

A-378-CIP262

Anticipated Classification Of This Application:
Class Subclass

Prior Application:
Examiner
Teng, S.

Art Unit
1646

To the Assistant Commissioner for Patents:

This is a request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/132,985 filed on August 12, 19 98, of William J. Boyle, David L. Lacey, Frank J. Calzone and Ming-Shi Chang for OSTEOPROTEGERIN

For CONTINUATION or DIVISIONAL APPLNS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. ☒ Transmitted herewith are:
 - ☒ 138 pages of specification, 9 pages of claim(s) and 1 page of abstract, totaling 148 pages.
 - ☒ 46 sheet(s) of drawings.
 - ☒ 3 pages of Oath or Declaration by the applicant(s):
 - ☐ a. Newly executed (original or copy)
 - ☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
 - ☒ 80 pages of Sequence Listing; computer readable copy (identical to paper copy); sequence statement.
2. ☒ The filing fee is calculated below:

For	Number Filed		Number Extra		Rate		Fee
Total Claims	8	- 20 =	0	x	\$18.00	=	\$ 0.00
Independent Claims	1	- 3 =	0	x	\$78.00	=	0.00
Multiple Dependent Claims	0			+	\$260.00	=	0.00
Basic Fee					\$760.00	=	760.00
Total Filing Fee							\$ 760.00

3. ☒ Please charge Deposit Account No. 01-0519, in the name of Amgen Inc., in the amount of \$ 760.00. An original and one copy are enclosed.
4. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
5. ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 01-0519 throughout the prosecution of this application.
6. ☒ Cancel in this application original claims 1-60 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EL198792556USDate of Deposit: September 24, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

Printed Name

Signature

7. ☐ Preliminarily, please amend the specification by inserting before the first line the following:

CA --This application is a ☒ continuation of Serial No. 08/771,777, filed 12/20/96, which is a continuation in part of 08/706,945, filed 9/3/96, which is a continuation in part of 08/577,788, filed 12/22/95 which is hereby incorporated by reference.--

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☐ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 USC 119.

9a. ☐ The certified copy has been filed in prior application Serial No. _____ filed _____

10. ☒ The prior application is assigned of record to Amgen Inc.

11. ☒ A preliminary amendment is enclosed.

12. ☒ Also enclosed Attorney's Statement

13. ☐ Other: _____

14. ☒ The power of attorney in the prior application is to:
Ron K. Levy, Registration No. 31,539; Steven M. Odre, Registration No. 29,094; and
Robert B. Winter, Registration No. 34,458

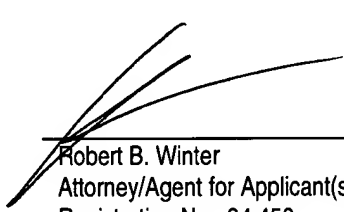
a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to
Robert B. Winter
 at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record


 Robert B. Winter
 Attorney/Agent for Applicant(s)
 Registration No. 34,458
 Phone: (805) 447-2425
 Date: September 24, 1999

Please send all future correspondence to:
 U. S. Patent Operations/RBW
 Dept. 430, M/S 27-4-A
 AMGEN, INC.
 One Amgen Center Drive
 Thousand Oaks, California 91320-1799

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boyle et al.
Serial No.: Continuation of 09/132,985
Filed: September 24, 1999
For: Osteoprotegerin
Docket No.: A-378-CIP2C2

ATTORNEY'S STATEMENT PURSUANT TO § 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The computer readable form in this continuation application, is identical with that filed in application Serial No. 09/132,985, filed on August 12, 1998. In accordance with 37 CFR § 1.821(e), please use the only computer readable form filed in that application as the computer readable form for this application. It is understood that the Patent and Trademark Office will make the necessary change in the application number and filing date for the computer readable form that will be used for this application. A paper copy of the Sequence Listing is provided herewith. I hereby state that the paper copy and the computer readable form (CRF) of the "Sequence Listing" for the above-mentioned patent application are the same.

Respectfully submitted,

Robert B. Winter
Attorney/Agent for Applicant(s)
Registration No.: 34,458
Phone: (805) 447-2425
Date: September 24, 1999

Please send all future correspondence to:

U.S. Patent Operations/RBW
Dept. 430, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1789

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EL198792556US

Date of Deposit: September 24, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Boyle Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

R. Craft
Printed Name

J. Craft
Signature